

ASSEMBLY BILL

No. 1740

Introduced by Assembly Member Jeffries

February 8, 2010

An act to amend Section 44017.4 of the Health and Safety Code, and to amend Section 4750.1 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1740, as introduced, Jeffries. Vehicles: specially constructed vehicles.

Existing law establishes a registration amnesty program for specially constructed vehicles, as defined, that have been previously registered or classified incorrectly and requires that a specially constructed vehicle, upon registration with the Department of Motor Vehicles, be inspected by stations authorized to perform referee functions, for the purposes of determining the engine model-year used in the vehicle or the vehicle model-year, and the emission control system application.

Existing law also requires the department to annually provide a registration to no more than the first 500 of these vehicles that meet specified criteria.

This bill would delete the first 500 vehicle limitation and instead require the department to provide registration to any specially constructed vehicle that meets the specified criteria. The bill would provide that the registered owner of a specially constructed vehicle that is currently registered or incorrectly registered may change the vehicle's registration by complying with those specified criteria.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 44017.4 of the Health and Safety Code is amended to read:

44017.4. (a) Upon *initial* registration with the Department of Motor Vehicles, a passenger vehicle or pickup truck that is a specially constructed vehicle, as defined in Section 580 of the Vehicle Code, shall be inspected by stations authorized to perform referee functions. This inspection shall be for the purposes of determining the engine model-year used in the vehicle or the vehicle model-year, and the emission control system application. The owner shall have the option to choose whether the inspection is based on the engine model-year used in the vehicle or the vehicle model-year.

(1) In determining the engine model-year, the referee shall compare the engine to engines of the era that the engine most closely resembles. The referee shall assign the 1960 model-year to the engine in any specially constructed vehicle that does not sufficiently resemble a previously manufactured engine. The referee shall require only those emission control systems that are applicable to the established engine model-year and that the engine reasonably accommodates in its present form.

(2) In determining the vehicle model-year, the referee shall compare the vehicle to vehicles of the era that the vehicle most closely resembles. The referee shall assign the 1960 model-year to any specially constructed vehicle that does not sufficiently resemble a previously manufactured vehicle. The referee shall require only those emission control systems that are applicable to the established model-year and that the vehicle reasonably accommodates in its present form.

(b) Upon the completion of the inspection, the referee shall affix a tamper-resistant label to the vehicle and issue a certificate that establishes the engine model-year or the vehicle model-year, and the emission control system application.

(c) The Department of Motor Vehicles shall ~~annually~~ provide a registration to ~~no more than the first 500 vehicles that meet any vehicle that meets~~ the criteria described in subdivision (a) that ~~are~~ is presented to that department for registration pursuant to this section. ~~The 500-vehicle annual limitation does not apply to the~~

~~renewal of registration of a vehicle registered pursuant to this section.~~

(d) The registered owner of a specially constructed vehicle that is currently registered or incorrectly registered may change the vehicle's registration by complying with the requirements of subdivision (a).

(e) There shall not be a limit on the number of specially constructed vehicles that may be registered by the department pursuant to this section.

SEC. 2. Section 4750.1 of the Vehicle Code is amended to read:

4750.1. (a) If the department receives an application for registration of a specially constructed passenger vehicle or pickup truck ~~after it has registered 500 specially constructed vehicles during that calendar year pursuant to Section 44017.4 of the Health and Safety Code, and the vehicle has not been previously registered, the vehicle shall be assigned the same model-year as the calendar year in which the application is submitted, inspected and registered pursuant to Section 44017.4 of the Health and Safety Code, for purposes of determining the model-year and the emissions inspection requirements for the vehicle.~~

~~(b) (1) If the department receives an application for registration of a specially constructed passenger vehicle or pickup truck that has been previously registered after it has registered 500 specially constructed vehicles during that calendar year pursuant to Section 44017.4 of the Health and Safety Code, and the application requests a model-year determination different from the model-year assigned in the previous registration, the application for registration shall be denied and the vehicle owner is subject to the emission control and inspection requirements applicable to the model-year assigned in the previous registration.~~

~~(2)~~

(b) For a vehicle participating that participated in the amnesty program in effect from January 1, 2010, until December 31, 2010, pursuant to Section 9565, the model-year of the previous registration shall be the calendar year of the year in which the vehicle owner applied for amnesty. However, a denial of an application for registration issued pursuant to this paragraph does not preclude the vehicle owner from applying for a different model-year determination and application for registration under

1 ~~Section 44017.4 of the Health and Safety Code in a subsequent~~
2 ~~calendar year.~~

3 (c) (1) The Bureau of Automotive Repair may charge the
4 vehicle owner who applies to participate in the amnesty program
5 a fee for each referee station inspection conducted pursuant to
6 Section 9565. The fee shall be one hundred sixty dollars (\$160)
7 and shall be collected by the referee station performing the
8 inspection.

9 (2) A contract to perform referee services may authorize direct
10 compensation to the referee contractor from the inspection fees
11 collected pursuant to paragraph (1). The referee contractor shall
12 deposit the inspection fees collected from the vehicle owner into
13 a separate trust account that the referee contractor shall account
14 for and manage in accordance with generally accepted accounting
15 standards and principles. Where the department conducts the
16 inspections pursuant to Section 9565, the inspection fees collected
17 by the department shall be deposited into the Vehicle Inspection
18 and Repair Fund.